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WARNING
FOR THE
CHURCH
OF
ENGLAND.

by Bp Burnhalls

*He that being often reprov'd, hardeneth
his Neck, shall suddenly be destroyed,
and that without remedy, Prov. 29.1.*

L O N D O N

Printed, and Sold by the Booksellers of
London and Westminster, 1706.

WARREN

FOR THE

CHURCH

OF



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T H E
P R E F A C E .

THE Church of England has receiv'd sufficient Security from both the Queen and the Parliament, that she is in no Danger from Them. Which we reasonably Censure to be not only, That she is to Fear no evil Designs against her either by Her Majesty or the Parliament; But that they will Protect and Defend her, as far as in their Power, from all Attempts against her by any of her Enemies whatsoever.

This was extremely Necessary, and very Comfortable to her, at a Time when she was Persecuted with the utmost Strife of the Tongue, by Tongues set on Fire of Hell; who threw out their Venom against her, in an Army, daily Recruited, of the most Virulent Papers and Pamphlets that any Age ever saw, to render her the Contempt and the Aversion of the whole Nation! And which threaten'd her Total and Sudden Destruction! An Example that has not a Precedent in any Age or Nation in the World, where a Church, while she was Established by the Laws of the Land, was so Openly and Furiously Attack'd! Which cou'd not but raise very Melancholy and Desponding Thoughts in her. Therefore the Guarantee of the Government came in here very Seasonably to her Relief.

But since all Human Affairs, even the best settled Governments, are liable to Changes and Revolutions, and the Queen's Breath is in her Nostrils, at the Sovereign Dis-

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posal of Providence; And that the Church must one Day or other Lose this her Gracious Protector, who is Ty'd to her, as to her Mother, at whose Breasts she has been Nourished, by all the Ties of Affection and Duty, as well as Interest: It is but Reasonable, and even Necessary, that the Church shou'd look Forward, and see to her own Preservation, when that Sad Day shall come, when the Queen, her Greatest Support, next under God, shall be taken from her.

While the Church enjoys the Protection of Her Majesty and the Present Parliament, who have Both Promis'd it, she may the more securely Despise the Efforts of her Enemies. Yet they are not altogether to be Neglected. It will be no small Prejudice to her, to have the Hearts of the Common People stoln from her, and she made the Jest and Proverb of the Nation, in Weekly Libels, which are Dispers'd as Publickly as the News-Papers. And continue their Rage and Spite against her, as much Now, as Ever. And if we may Believe what these Incendiaries Boast of Themselves, that their Papers are well Receiv'd by Men of the Greatest Interest and Sense in the Nation, then the Poison has spread further. And by the Multitude of these Papers that go off, it is evident they have Encouragement Somewhere. And it is easie to Imagine, what Effects a Continual Battery of Scandal may have. Where so much Dirt is Thrown, some must Stick.

But the Danger from these Enemies among our selves, looks much more Terribly, when we Consider, That they Act in Concert with, and Intirely serve the Purposes of our Profess'd Enemies Abroad. I mean the Presbyterian Kirk in Scotland. Which is the same Corner, whence that Handbreadth of a Cloud once before Came, which soon Darken'd the whole Heavens of these Three Kingdoms, and Fill'd them with Blood and Desolation!

Of this there was a Warning then given (which is here Presented to you) by the Learned and Judicious Bishop Bramhall. But this took no Effect. For the Judgment was Determin'd. He was thought a Hot Man, who Fore-saw Danger, where there was None. And so they Slept on Securely, till it overtook them like a Whirl-wind.

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Now let us Consider the Difference of the Circumstances betwixt that Time and This. And see what Grounds of Security we have Now, more than the Church had Then. They were Then indeed upon the Level with Us, as to one Particular, that is, they had a Prince upon the Throne, who was Educated in the Church, a Learned Defender, and Resolute Protector of it. And they Trusted too much to this. For what was the Issue? By letting things go too Far, and Despising the Malice of their Enemies, they found Themselves in a Moment Undone, and the Hearts of the People stoln from them, by the Seditious Sermons and Pamphlets which were then spread abroad. And had the Lamentable Comfort to see their King Die a Martyr for that Church, when, (by his Concessions to his Enemies, as he thought, to Gain them) he had put it out of his Power any longer to Protect them.

Let Us now look a little into the Present Posture of Affairs in Scotland. Their Kirk is there Established by Law. And Episcopacy Abolished as an Un-supportable Grievance! They Persecute the Church there with a Fury, that Aims at no less than her Utter Excision. They have Renew'd their Covenant in two Associations of both their Provincial Synods. (which we have here in Print) wherein they Vow their Lives and Estates, as well as their Souls, for the Extirpation of Prelacy. And this, as the Covenant at first, was only Voluntary, and People Invited to Come into it. But as That Proceeded, so This. It is now made Compulsory, and all their Preachers are Oblig'd to Subscribe it, and Swear to it, and (which is more) give Bonds, under Pain of Deprivation: And they have Made it a Term of Communion with them, to take and subscribe the said Oaths and Bonds. And all this, without any Authority of Queen or Parliament. All which is Evident from their Proceedings with Mr. Orrok and others of their own Preachers who Protested against their Imposing these Oaths and Bonds, as Un-Christian, in Making them Terms of Communion; and Contrary to the Laws of the Land (several Acts of Parliament to that Purpose being there Quoted) to enter into Associations, frame new Covenants and Leagues, and Impose Oaths upon the Subjects, without the Authority of Queen
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and Parliament. These Proceedings were last April, 1703. And Printed in Scotland, of which I have a Copy given me by a Friend. And their Rigour in taking these Extraordinary Methods more Now (after all the Gracious Assurances given them by her Majesty) than in the last Reign, is particularly Insisted upon by these Protestors, as an High Indignity to her Majesty, and a Manifest Suspicion of the Integrity of her Intentions.

But this is not all. They look upon England as oblig'd to come under their Covenant again. As having been once a Covenanted Nation. They Pray publicly in their Pulpits for the Conversion of England from its Superstition and Idolatry, meaning our Episcopacy, our Liturgy, Rites and Ceremonies.

Nor is this all. Some of the most Zealous of them, who wou'd Charge without Orders, began the On-set too soon, and met to the Number of about 700 in Arms; And fix'd up Declarations at Noon-Day, on the Market-Cross in Royal-Boroughs, disowning Princess ANN, from being their Queen, because she had Promis'd to Support Episcopacy in England, being a Covenanted Kingdom. And did this in the Name of all the true Presbyterians in Scotland. That Declaration which was thus set up at Sanquhar, May 21, 1703. We have here in Print. This was counted Rash. But however, no Inquisition was made concerning it, nor any Notice taken of it, either by the Kirk or the Civil Government there, that ever we heard of.

There was no such Threatning Aspect in Scotland when Bishop Bramhall gave his Warning.

No, nor in any Proportion, in England. The Faction was then no ways so Rampant. They were then Undermining the Church, with Specious and Fair Pretences. But now they raise their Batteries above Ground, and hang out the Flag of Defiance. They Vilifie and Asperse the Church and Clergy, without any Ceremony. They have their Private (now Publick) Academies all over the Kingdom, to furnish Fresh Recruits. They are Industrious and Active, and Act in Concert, with the utmost Zeal against the Church. Of which we have now a very Awakening Specimen, Printed within these few Days, Intitul'd, Remarks

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marks on a Letter from some DISSENTING-MINISTERS Assembled at COLNBROOK, to their Brethren in LONDON. Written for the Advancement of the NON-CONFORMING Interest throughout the Nation. London, Printed for J. Nutt, near Stationers-Hall, 1706. And as that Letter of these Dissenting Ministers, says p. 5. Their Case is not Confin'd to that Small Part, to which they are specially Related as Pastors. But by their United Councils and Endeavours to the whole Flock, as far as within their Reach. And therefore they set up a General Correspondence.

Now we know well that Scotland is not without their Reach, nor without their Correspondence. And they have Emissaries here who make it their Business to Blind our Eyes, as much as they can, to Mollifie and Excuse the Accounts that come from Scotland; And they wou'd make us believe there is no Persecution in Scotland; And that the Episcopal Clergy there enjoy a full Comprehension, tho' they are deny'd a bare Toleration! which the Commission of the General Assembly call'd Establishing Iniquity by a Law. And Threatened their Curses against the Parliament, and their Posterity, if they offer'd to Attempt any such thing. Which we have likewise here in Print. And also several Instances even in this Reign, as at Glasgow, &c. where the Episcopal Clergy (and their Meetings) have been Rabb'd, tho' they had taken the Oaths to the Government, and fully Qualify'd themselves as to that Point. This is fully Prov'd, and Un-deniable even by our Adversaries. Yet they Cry, there is no Persecution there, unless upon the Account of the Civil Government. Tho' at the same time, several of the Presbyterian Preachers there, now in Place, Refuse to take the Oaths to Queen ANN, and are Un-disturb'd. Which is Confess'd by one of their own Advocates, in what bears the Title of An Account of the Proceedings of the Parliament of Scotland, which Met at Edinborough, May 6, 1703. And an Excuse made for them, Pref. p. 2. That it was on Account of their Tender Consciences. And why might not they have Scruples about taking an Oath, as well as the Quakers? And why shou'd it not be Allow'd them? Thus he Pleads for them. But he owns the Fact, which was Objected to him, in the Book he pretends to

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to Answer. I have told before why some of them Refuse to Acknowledge ANNE Princess of Denmark for their Queen. And why then shou'd they Swear to her? And why shou'd not the others have Regard to the Tender-Consciences of their Brethren! Why shou'd they not Enjoy the same Priviledge as the Quakers!

But there is more than all this still. The Presbyterians in Scotland in the Year 1704, Enter'd into a close Combination, and Drew up an Instrument, which they Call'd Overtures, to be Dispers'd Privately among their own Party only, for Raising of Funds, to Buy Arms, and Erect a Standing Force, with Directions for Naming their Officers, and Appointing Places of Rendezvouz, And to Dis-Arm and Seize on all that were not Well-Affected, when they saw Proper time. A Copy of these Overtures was Procur'd and sent from Scotland, and Printed here that same Year, 1704. And have not since been Contradicted by any of that Nation, for they Know it to be True.

Such Doings were not Known, before the Breaking out of the Rebellion against K. Charles I. And I will Add, That the Heads and Chiefs of the Faction in Both Kingdoms had not then such frequent Opportunities of Converling and Concerting together, as they have had since.

Upon the whole, there were not near so many Concurring Circumstances to give Cause for the Warning, which Bishop Bramhall Afforded Seasonably to the Church of England, to take heed of the Scottish Presbyterian Disciplin, as there is Now. And we may observe, That the Presbyterians are not Alter'd from what they were, Except to the Wors, and to be more Bold and Expedite in their Work, being Improv'd by Practice and Success.

And because all Modern Advices are Suspected, and Branded with the Name of Parties among Us, this of Bishop Bramhall's is Re-Printed, which is free from all these Objections, and Proceeds purely upon the Merits of the Cause.

Qui Vult Decipi, Decipiatur.

C H A P.

C H A P. I

The Occasion and Subject of this Treatise.

IF the Disciplinarians in *Scotland* could rest contented to dote upon their own Inventions, and magnify at Home that *Diana* which themselves have Canoniz'd, I should leave them to the best School-Mistress, that is, Experience, to feel where their Shoe wrings them, and to purchase Repentance. What have I to do with the Regulation of Foreign Churches, to burn mine own Fingers with snuffing other Men's Candles? Let them stand or fall to their own Master: It is Charity to judge well of others, and Piety to look well to our selves.

But to see those very Men, who plead so vehemently against all kinds of Tyranny, attempt to obtrude their own Dreams not only upon their Fellow-Subjects, but upon their Sovereign himself, contrary to the Dictates of his own Conscience, contrary to all Laws of God and Man; yea, to compel Foreign Churches to Dance after their Pipe, to Worship that counterfeit Image, which they feign to have fallen down from *Jupiter*, and by force of Arms to turn their Neighbours out of a Possession of above 1400 Years, to make room for their *Trojan* Horse of Ecclesiastical Discipline: (a Practice never justify'd in the World, but either by the *Turk*, or by the *Pope*) This put us upon the defensive Part. They must not think, that other Men are so cow'd, or grown so tame, as to stand still blowing of their Noses, whilst they bridle them, and ride them at their Pleasure. It is time to let the World see, that this Discipline, which

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they so much adore, is the very Quintessence of *Refin'd Popery*, or a greater Tyranny than ever *Rome* brought forth, inconsistent with all Forms of Civil Government, destructive to all sorts of Policy, a Rack to the Conscience, the heaviest Pressure that can fall upon a People, and so much more dangerous, because by the specious Pretence of Divine Institution, it takes away the Sight, but not the Burthen of Slavery. Have Patience Reader, and I shall discover unto thee more Pride and Arrogancy through the Holes of a thread-bare Coat, than was ever found under a Cardinal's Cap, or a triple Crown. All this I undertake to demonstrate, not by some extraordinary Practices justify'd only by the Pretence of invincible Necessity; (a weak Patrocinium for general Doctrin,) nor by the single Opinions of some Capricious Fellows, but by their Books of Discipline, by the Acts of their general and provincial Assemblies, by the concurrent Votes and Writings of their Commissioners.

Syn. Gen.

1617. *Declar.*

Parl. 1648, &c.

I foresee that they will suggest, that through their Sides I seek to wound Foreign Churches. No, there is nothing which I shall convict them of here, but I hope will be disavow'd, though not by all Protestant Auctors, yet by all the Protestant Churches in the World. But I must take leave to demand of our Disciplinarians, who it is they brand with the odious Name of *Erastians* in the Acts of their Parliaments and Assemblies, and in the Writings of their Commissioners, and reckon them with Papists, Anabaptists, and Independants; Is it those Churches who disarm their Presbyteries of the Sword of Excommunication which they are not able to wield? So did *Erastus*; or is it those who attribute a much greater Power to the Christian Magistrate in the Managery of Ecclesiastical Affairs than themselves? So did *Erastus*, and so do all Protestant Churches. The Disciplinarians will sooner endure a Bishop or a Superintendent to govern them,

them, than the Civil Magistrate. And when the Magistrate shall be rightly inform'd what a dangerous Edg'd-Tool their Discipline is, he will ten times sooner admit of a moderate Episcopacy, than fall into the Hands of such Hucksters.

If it were not for this Disciplinary Humour, which will admit no Latitude in Religion, but makes each Nicety a Fundamental, and every private Opinion an Article of Faith, which prefers particular Errors before general Truths ; I doubt not but all Reform'd Churches might easily be reconcil'd. Before these unhappy Troubles in *England*, all Protestants, both *Lutherans* and *Calvinists*, did give unto the *English* Church the right hand of Fellowship ; the *Disciplinarians* themselves, though they prefer'd their own Church as more pure, (else they were hard-hearted) yet they did not, they durst not condemn the Church of *England*, either as defective in any necessary point of Christian Piety, or redundant in any thing that might virtually or by Consequence overthrow the Foundation.

Witness that Letter which their General Assembly of *Superintendents, Pastors and Elders* sent by Mr. *John Knox* to the *English* Bishops, wherein they style them *Reverend Pastors, Fellow-Preachers, and joynt-Opposers of the Roman Antichrist*. They themselves were then far from a Party, or from making the calling of Bishops to be Antichristian. *Assemb. Gen. Anno 1556.*

But to leave these Velitations and come home to the Point. I will shew first how this *Discipline* entrencheth most extreemly upon the right of the *Civil Magistrate* ; secondly that it is as grievous and intollerable to the *Subject*.

C H A P. II.

That this new Discipline doth utterly overthrow the Rights of Magistrates, to convocate Synods, to confirm their Acts, to order Ecclesiastical Affairs, and reform the Church within their Dominions.

ALL Princes and States invested with Sovereignty of Power, do justly challenge to themselves the Right of Convocating *National Synods* of their own Subjects, and ratifying their Constitution.

And although pious Princes may tolerate or privilege the Church to convene within their Territories annually or triennially, for the Exercise of Discipline, and Execution of Constitutions already confirm'd, (nevertheless we see how wary the *Synod of Dort* was in this particular,) yet he is a Magistrate of Straw, that will permit the Church to convene within his Territories, whensoever, wheresoever they list, to Convocate before them whomsoever they please, all the Nobles, all the Subjects of the Kingdom, to change the whole Ecclesiastical Policy of a Common-wealth, to alter the Doctrine and Religion establish'd, to take away the legal Rights and Privileges of the Subjects, to erect new Tribunals and Courts of Justice, to which Sovereigns themselves must submit, and all this of their own Heads, by Virtue of a pretended Power given them from Heaven, contrary to known Laws and lawful Customs, the Supreme Magistrate dissenting and disclaiming. *Synods ought to be call'd by the Supreme Magistrate, if he be a Christian, &c. And either by himself, or by such as he shall please to choose for that purpose, he ought to preside over them.* This Power the Emperors of old did challenge over General Councils, Christian Monarchs in the Blindness of Popery over National Synods, the Kings of *England* over their great Councils

Can. 50.

*Ench. cand. S.
min. ex. decre-
to sal. The E-
dit. Gron.
1645. pag. 161.*

Councils of old, and their Convocation of latter times: The *Estates* of the United Provinces, in the Synod of *Dort*; this power neither Roman Catholick or Protestant in *France*, dare deny to his King. None have been more punctual in this case than the State of *Geneva*, where it is expressly provided, that no Synod or Presbytery shall alter the Ecclesiastical Policy, or add any thing to it, without the consent of the Civil Magistrate. Their Elders do not challenge an uncontrollable Power as the Commissioners of Christ, but are still called the Commissioners of the Signiory. The lesser Council names them with the advice of the Ministry, (their consent is not necessary) The great Council of 200 doth approve them or reject them. At the end of the Year, they are presented to the Signiory, who continue them, or discharge them as they see cause. At their admission, they take an Oath, to keep the Ecclesiastical Ordinances of the Civil Magistrate. The final determination of Doctrinal differences in Religion, (after conference of and with the Ecclesiasticks) is referred to the Magistrate. The Proclamations published with the sound of Trumpet Registered in the same Book, do plainly shew, that the ordering of all Ecclesiastical Affairs is assumed by the Signiory.

But in *Scotland* all things are quite contrary, the Civil Magistrate hath no more to do with the placing or displacing of Ecclesiastical Elders, than he hath in the Electoral College, about the Election of an Emperor. The King hath no more legislative Power in Ecclesiastical Causes than a Cocker, that is, a single Vote in case he be chosen an Elder, otherwise none at all. In *Scotland* Ecclesiastical Persons make Repeal, alter their Sanctions every Day, without consent of King or Council. King James proclaimed a Parliament to be held at *Edinburgh*, and a little before, by his Letter, required the Assembly to abstain from making any Innovations in the Policy of the Church, and from prejudging the decisions of the States by their

Les ordium
Eccles. Prin-
ted at Geneva,
1562. pag 66.

Pag. 20.

Pag. 20.

Pag. 9.

Pag. 11.

Obs. 20.

1597.

their conclusions, and to suffer all things to continue in the condition they were until the approaching Parliament. What did they hereupon? They neglected the King's Letter; by their own Authority they determined all things positively, questioned the Arch-Bishop of St. Andrews upon their own Canons, For collating to Benefices, and voting in Parliament, according to the undoubted Laws of the Land: Yea, to that degree of sauciness they arrived, and into that contempt they reduced Sovereign Power, that twenty Presbyters (no more at the highest, sometimes but thirteen, sometimes but seven or eight) dared to hold and maintain a General Assembly, (as they mis-called it) after it was discharged by the King, against his Authority, an Insolence which never any Parliament durst yet attempt.

Assemb. Aberdeen. 1600.

*1 Book disc.
1 bead.*

By their own Authority, long before there was any Statute made to that purpose, they abolish'd all the Festivals of the Church, even those which were observed in memory of the Birth, Circumcision, Resurrection, and Ascension of our Saviour.

*Ass. Dun.
1580.*

By their own Authority, they decreed the abolition of Bishops, requiring them to resign their Offices, as not having any calling from God's Word, under pain of Excommunication. And to desist from Preaching until they had a new admission from the General Assembly. And to compleat their own Folly, added further, that they would dispose of their Possessions as the Church's Patrimony in the next Assembly: Which ridiculous Ordinance was maintained stilly by the succeeding Synods, notwithstanding the Statute, that it should be Treason to impugn the Authority of the three Estates, or to procure the innovation, or diminution of any of them. Which was made on purpose to control their vain presumption. Notwithstanding that themselves had formerly approved, and as much as in them lay, established Superintendents, to endure for

Parl. 1584

*1 Book Discip.
4. and 6 bead.*

term of Life, with their Numbers, Bounds, Sallaries larger

larger than those of other Ministers, indued with Episcopal Power, to plant Churches, ordain Ministers, assign Stipends, preside in Synods, direct the Censures of the Church, without whom there was no Excommunication. The World is much mistaken concerning Episcopacy in Scotland; for though the King and Parliament were compelled by the clamours and impetuous violence of the Presbyters, to annex the Temporalities of Bishops to the Crown, yet *the Function it self was never taken away in Scotland, from their first conversion to Christianity, until these unhappy Troubles.* And these very Temporalities were restored by the *Act of Restitution*, and their full Power was first established *Synodically*, and afterwards confirmed by the three Estates of the Kingdom in Parliament.

Anno 203.

1606.

Ass. Glasg.

1610.

Parl. Edinb.

1612.

By *their own Authority*, when they saw they could not prevail with all their iterated endeavours and attempts to have their Book of Discipline ratified, *they obtruded it upon the Church themselves*, ordaining that *all those who had born or did then bear any Office in the Church, should subscribe it, under pain of Excommunication.*

Ass. Edinb.

1590.

By *their own Authority*, or rather by the like unwarrantable boldness, they adopted themselves to be Heirs of their Prelates, and other Dignities and Orders of the Church suppressed by their tumultuous Violence, and decreed that *all Tythes, Rents, Lands, Oblations, yea, whatsoever had been given in former times, or should be given in future times to the service of God, was the Patrimony of the Church, and ought to be collected and distributed by the Deacons, as the Word of God appoints.* That to convert any of this to their particular or profane use of any Person, is detestable Sacrilege before God. And elsewhere, Gentlemen, Barons, Earls, Lords, and others, must be content to live upon their just Rents, and suffer the Kirk to be restored to her Liberty. What this Liberty is, follows in the same Place, *all things given in Hospitality, all Rents pertaining to Priests, Chanteries,*

2 Book disc.

Chap. 9.

1 Book disc.

6 head.

Ibidem.

*Ibidem.**Ibidem.*Aſſ. Edinb.
1647.

Chanteries, Colleges, Chappelries, Frieries of all Orders, the Sisters of the Seens, all which ought to be retained still in the use of the Kirk. Give them but leave to take their Breath and expect the rest. The whole Revenues of the Temporalities of Bishops, Deacons, and Arch-Deacons Lands, and all Rents pertaining to Cathedral Kirks. Then supposing an Objection, that the Possessors had Leases and Estates, they answer, That those who made them were Thieves and Murtherers, and had no Power so to alienate the common Good of the Kirk. They desire that all such Estates may be annulled and avoided; that all Collectors appointed by the King, or others, may be discharged from intermeddling therewith, and the Deacons permitted to collect the same: Yea, to that height of Madness were they come, as to define and determin in their Assembly, (judge whether it be not a modest constitution of a Synod,) That the next Parliament the Church should be fully restored to its Patrimony, and that nothing should be past in Parliament until that was first considered and approved. Let all Estates take notice of these Pretensions and Designs. If their Project have not yet taken effect, it is only because they wanted sufficient strength hitherto to accomplish it.

Aſſ. Glasg.
1581.
Aſſ. Edinb.
1590.
Aſſ. Edinb.
1591.

Lastly, by their own Authority, under the specious title of Jesus Christ, King of Kings, and Lord of Lords, the only Monarch of his Church; and under pretence of his Prerogative Royal, they erected their own Courts and Presbyteries in the most parts of Scotland, long before they were legally approved or received, as appeareth by their own Act, alledging, that many Suits had been made to the Magistrate for approbation of the Policy of the Kirk, which had not taken that happy effect which good Men would crave: And by another Act acknowledging that Presbyteries were then established (Synodically) in most parts of the Kingdom. And lastly, by the Act of another General Assembly at Edinburgh, ordaining that the Discipline contained

In the Acts of the General Assembly, should be kept, as well in Angus and Mernis, as in the rest of the Kingdom.

You see sufficiently in point of practice, how the Disciplinarians have trampled upon the Laws, and justled the Civil Magistrate out of his Supremacy in Ecclesiastical Affairs. My next task shall be to shew that this proceeds not from Inanimadvertency or Passion, but from their *Doctrin and Principles.*

First, they teach, That no Persons, Magistrates nor others, have power to *Vote in their Synods, but only Ecclesiastical.* 1
2 Book disc.
Chap. 7.

Secondly, they teach, That Ecclesiastical Persons have the sole Power of convening and convoking such Assemblies; *All Ecclesiastical Assemblies have power to convene lawfully together, for treating of things concerning the Kirk. They have power to appoint Times and Places. Again, National Assemblies of this Country, ought always to be retained in their own Liberties, with power to the Kirk to appoint Times and Places. Thus they make it a Liberty, that is, a Privilege of the Church, a part of its Patrimony, not only to Convene, but to Convocate, whomsoever, whensoever, and wheresoever.* 2
Chap. 12.

Thirdly, for point of Power, they teach, that *Synods have the judgment of true and false Religion, of Doctrin, Heresies, &c. The Election, Admission, Suspension, deprivation of Ministers, the determination of all things that pertain to the Discipline of the Church. The judgment of Ecclesiastical Matters, Causes beneficiary, matrimonial and others. Jurisdiction to proceed to Excommunication against those that rob the Church of its Patrimony. They have legislative Power to make Rules and Constitutions for keeping good Order in the Kirk. They have power to abrogate and abolish all Statutes and Ordinances concerning Ecclesiastical Matters, that are found noisom and unprofitable, and agree not with the time, or are abused by the People. And all this without* 3
Ass. Edinb.
1570.
2 Book disc.
Chap. 7.
Chap. 12.

any Reclamation, or Appellation, to any Judge, Civil or Ecclesiastical.

2^d Book disc.
Chap. 1.

Theorematum III.
imp. Edenb.
1647. decreto
Synodi Theor. 4.

Theor. 8.

Theor. 62.

Information
from Scotland,
p. 19.

Theor. 98.

Theor. 82.

Fourthly, They teach that they have these Privileges not from the Magistrate or People, or particular Laws of any other Country. The Magistrate cannot execute the Censures of the Church, nor prescribe any Rule how it should be done, but Ecclesiastical Power floweth immediately from God, and from the Mediator Jesus Christ. And yet further, The Church cannot be govern'd by others, than those Ministers and Stewards set over it by Christ, nor otherwise than by his Laws. And therefore there is no Power in Earth that can challenge to it self a Command or Dominion upon the Church. And again, It is prohibited by the Law of God and of Christ, for the Christian Magistrate to invade the Government of the Church, and consequently to challenge to himself the Right of both Swords Spiritual and Temporal. And if any Magistrate do arrogate so much to himself, the Church shall have Cause to Complain and Exclaim, that the Pope is chang'd, but the Papacy remains. So if Kings and Magistrates stand in their way, they are Political Popes, as well as Bishops are Ecclesiastical. Whatsoever these Men do, is in the Name of our Lord Jesus, and by Authority delegated from him alone.

Lastly, They teach that they have all this Power, not only without the Magistrate, but against the Magistrate, that is, " Although he dissent, and send out his Prohibitions to the contrary, Parliamentary Ratifications can no way alter Church Canons concerning the Worship of God." For Ecclesiastical Discipline ought to be exercis'd, whether it be ratify'd by the Civil Magistrate or not. The Want of a Civil Sanction to the Church, is but like *Lucrum cessans, non damnum emergens*. As it adds nothing to it, so it takes nothing away from it. If there be any clashing of Jurisdictions, or Defect in this kind, they lay the Fault at the Magistrate's Door. It is a great Sin or Wickedness, for the Magistrate to hinder

der the Exercise, or Execution of Ecclesiastical Discipline.

Now we have seen the pernicious Practices of their Synods, with the Doctrins from which they flow ; it remains to dispel Umbrages, wherewith they seek to hide the ugliness of their Proceedings and Principles from the Eyes of the World. We (say they) do give the Christian Magistrate a *Political Power* to convocate Synods, to preside in Synods, to ratifie the Acts of Synods, to reform the Church. We make him the Keeper of both Tables. Take nothing and hold it fast, here are good Words, but they signify nothing. Trust me whatsoever the Disciplinarians do give to the Magistrate, it is always with a saving of their own Stakes, not giving for his Advantage, but their own. For they teach that *Theor. 98.* this Power of the Christian Magistrate is not *Private* and *Destructive* to the Power of the Church, but *Cumulative*, and only *Auxiliary* or assisting.

Besides the Power which they call abusively *Authoritative*, but is indeed *Ministerial*, of executing their Decrees, and contributing to their Settlement, they ascribe to the Magistrate concerning the Acts of Synods that which every private Man hath, a Judgment of *Discretion*, but they retain to themselves the Judgment of *Jurisdiction*. And if he judge not as they would have him, but suspend out of Conscience the Influence of his political Power, where they would have him exercise it, they will either reach him another point of Popery, that is, an implicate Faith, or he may perchance feel the Weight of their Church Censures, and find quickly what manner of Men they be, as our late Gracious King *Charles*, and before him his Father, his Grand-mother, and his Great Grand-mother did all to their Cost.

Then in plain English what is this political Power to call Synods, to preside in Synods, and to ratify Synods, which these good Men give to the Magistrate, and

magnify so much? I shall tell the Truth. It is a Duty which the Magistrate owes to the Kirk, when they think necessary to have a Synod convoked, " To strengthen their Summons by a Civil Sanction, to secure them in coming to the Synod, and returning from the Synod, to provide them good Accommodation, to protect them from Dangers, to defend their Rights and Privileges, to compel obstinate Persons by Civil Laws and Punishments to submit to their Censures and Decrees. What gers the Magistrate by all this to himself? He may put it all in his Eye, and see never a whit the worse. For they declare expressly, " That neither all the Power, nor any part of the Power, which Synods have to deliberate of, or to define Ecclesiastical Things, (though it be in relation to their own Subjects) doth flow from the Magistrate, but because in those Things which belong to the outward Man, (mark the Reason) the Church stands in need of the help of the Magistrate. Fair fall and ingenuous Confession; they attribute nothing to the Magistrate, but only what may render him able to serve their own Turns, and supply their Needs. I wish these Men would think a little more of the Distinction between *Habitual* and *Actual* Jurisdiction. After a School-Master hath his License to teach, yet his *Actual* Jurisdiction doth proceed from the Parents of his Scholars. And though he enjoy a kind of Supremacy among them, he must not think that this extinguisheth, either his own filial Duty, or theirs.

2^d Book of disc.
chap. 10.

Like this Power of presiding politically in Synods, is the other Power, which they give him of reforming the Church, that is, when the State of the Church is corrupted, but not when it is pure, as they take it for granted, that it is, when the Jurisdiction is in their own Hands. " Although godly Kings and Princes, sometime by their own Authority, when the Kirk is corrupted,

“ rupted, and all Things out of Order, place Ministers,
 “ and restore the true Service of the Lord, after the Ex-
 “ ample of some godly Kings of *Judah*, and divers god-
 “ ly Emperors and Kings also in the Light of the New
 “ Testament; yet where the Ministry of the Kirk is
 “ once lawfully constituted, and they that are plac’d,
 “ do their Office faithfully, all godly Princes and Ma-
 “ gistrates ought to hear and obey their Voice, and re-
 “ verence the Majesty of the Son of God speaking in
 “ them. Leave this jugling; who shall judge, when
 “ the Church is corrupted; the Magistrates, or Church-
 “ men? If the Magistrates, why not over you, as well
 “ as others? If the Church-men, why not others, as
 “ well as you? Here is nothing to be answer’d, but to
 “ beg the Question, that they only are the true Church.
 “ Hear another Witness, in evil and troublesome Times,
 “ and in a lapsed State of Affairs; when the Order in-
 “ stituted by God in the Church, is degenerated to Ty-
 “ ranny, to the trampling upon the true Religion and *Theor. 84. and 85.*
 “ oppressing the Professors of it; when nothing is found,
 “ the godly Magistrate may do some Things, which
 “ ordinarily are not lawful, &c. But ordinarily and
 “ of common Right, in Churches already constituted,
 “ if a Man fly to the Magistrate complaining that he is
 “ injur’d by the Abuse of Ecclesiastical Discipline, or if
 “ the Sentence of the Presbyteries displease the Magi-
 “ strate, either in point of Discipline, or of Faith, he
 “ must not therefore draw such Causes to a civil Tri-
 “ bunal, nor introduce a political Papacy. And as the *Ibidem.*
 “ Magistrate hath Power in extraordinary Causes, when
 “ the Church is wholly corrupted, to reform Ecclesia-
 “ stical Abuses; so if the Magistrate shall Tyrannize o-
 “ ver the Church, it is lawful to oppose him, by cer-
 “ tain ways and means, *extraordinary*; however *ordina-*
 “ *rily not to be allow’d.*” This is plain Dealing, the Ma-
 gistrate

Magistrate cannot lawfully reform them, but in Cases extraordinary; and in Cases extraordinary, they may lawfully reform the Magistrate, *by means not to be ordinarily allow'd*, that is, by force of Arms. See the Principles from whence all our Miseries, and the Loss of our gracious Master hath flow'd, and learn to detest them; They give the Magistrate the Custody of both Tables, so they do give the same to themselves; they keep the second Table, by admonishing him; he keeps the first Table, by assisting them: They reform the Abuses of the first Table, by ordinary Right; of the second Table, extraordinarily: He reforms the Abuses against the second Table, by ordinary Right; and the Abuses against the first Table, extraordinarily.

Theor. 43.

But can the Magistrate, according to their Learning, call the Synod to an Account for any thing they do, can he remedy the Errors of a Synod, either in Doctrine or Discipline? No, If Magistrates had Power to change, or diminish, or restrain the Rights of the Church, the Condition of the Church should be worse, and their Liberties less, under a Christian Magistrate, than under an Heathen. For (say they) Parliaments and supreme Senates, are, no more infallible than Synods, and in matters of Faith and Discipline more apt to err: And again, the Magistrate is not Judge of Spiritual Causes controverted in the Church. And if he decree any thing in such Businesses, according to the Wisdom of the Flesh, and not according to the Rule of God's Word, and the Wisdom which is from above, he must give an Account of it unto God.

Theor. 97.

Theor. 88.

Theor. 82.

2.

Theor. 82.

Or may the Supreme Magistrate oppose the Execution of their Discipline practis'd in their Presbyteries, or Synods, by Laws or Prohibitions? No, it is Wickedness, If he do so far abuse his Authority, good Christians must rather suffer Extremities, than obey him.

Then

Then what Remedy hath the Magistrate, if he find himself griev'd in this Case? *He may desire and procure a Review in another National Synod, that the Matter may be lawfully determin'd by Ecclesiastical Judgment.* Yet upon this Condition, *That notwithstanding the future Review, the first Sentence of the Synod be executed without Delay.* This is one main Branch of Popery, and a gross Encroachment upon the Right of the Magistrate. Theor. 91, 92.

C H A P. III.

That this Discipline robs the Magistrate of the last Appeal of his Subjects.

TH E Second flows from this. The last Appeal ought to be the Supreme Magistrate, or Magistrates, within his or their Dominions, as to the highest Power under God. And where it is not so order'd, the Common-wealth can enjoy no Tranquility, as we shall see in the second part of this Discourse. By the Laws of England, if any Man find himself griev'd with the Sentence or consistorial Proceedings of a Bishop, or of his Officers, he may appeal from the highest Judicatory of the Church to the King in Chancery, who useth in that case to grant Commissions under the Great Seal to *Delegates* expert in the Laws of the Realm, who have Power to give him Remedy, and to see Justice done. In Scotland this would be taken in great Scorn, as an high Indignity upon the Commissioners of Christ, to appeal from his *Tribunal*, to the Judgment of a mortal Man. In the Year 1582, King James, by his Letter by his Messenger, the *Master of Requests*, and by an Herald at Arms, prohibited the *Assembly at St. Andrew's*, to proceed in the Case of one *Mongomery*, and *Mongomery*, himself. 22.
1582.
As. Saint Andrew's, 1582.

A/s. Saint An-
drew's, 1586.

self appeal'd to Cesar, or to King and Council. What did our new Masters upon this? They slighted the King's Letter, his Messenger, his Herald, rejected the Appeal, as made to an incompetent Judge, and proceeded most violently in the Cause. About four Years after this, another Synod held at St. *Andrew's*, proceeded in like manner against the Bishop of that See, for Voting in Parliament according to his Conscience, and for being suspected to have penn'd a Declaration, publish'd by the King and Parliament at the end of the Statutes, notwithstanding that he declin'd their Judicature, and appeal'd to the King and Parliament. When did any Bishops dare to do such Acts? There need no more Instances, their Book of *Discipline* it self being so full in the Case, from the *Kirk* there is no *Reclamation*, or *Appellation*, to any Judge, Civil or Ecclesiastical, within the Realm.

C H A P. IV.

That it exempts the Ministers from due Punishment.

3. **T**Hirdly, If Ecclesiastick Persons in their Pulpits, or Assemblies, shall leave their Text and proper Work to turn Incendiaries, Trumpeters of Sedition, stirring up the People to Tumults and disloyal Attempts, in all well order'd Kingdoms and Commonwealths, they are punishable by the Civil Magistrate, whose proper Office it is to take Cognizance of Treason and Sedition. It was well said by a King of *France* to some such seditious *Shebas*, that if they would not let him alone in their Pulpits, he would send them to preach in another Climate. In the *United Provinces* there want not Examples of seditious Orators, who for controlling their
Magistrates

Magistrates too faucily in the Pulpit, have been turned both out of their Churches and Cities, without any fear of wresting *Christ's Scepter* out of his Hand. In *Geneva* it self, the Correction of Ecclesiastical Persons (*quæ tales*) ^{Eccl. Ord. pag. 14.} is expressly reserved to the Signiory. So much our *Disciplinarians* have out done their Pattern, as the passionate Writings of heady Men out-do the calmer Decrees of a stayed Senate.

But the Ministers of *Scotland* have exempted themselves in this case from all secular Judgment, as King *James* (who knew them best of any Man living) witnesseth. They said, He was an *incompetent Judge* in such Cases, and that *matters of the Pulpit ought to be exempted from the judgment and correction of Princes*. They themselves speak plain enough. It is an absurd thing, that sundry of them, (Commissaries) *having no function* ^{2 Book disc. Chap. 11.} of the Kirk, should be Judges to Ministers, and depose them from their Rooms. The reason holds as well against Magistrates, as Commissaries. To pass by the saucy and seditious Expressions of Mr. *Dary*, Mr. *Mellwill*, Mr. *Baltcanquall*, and their impunity. Mr. *James Gibson* in his Sermon, taxed the King for a *Persecutor*, and threatened him with a Curse, that he should *die Childless, and be the last of his Race*; for which being convented before the Assembly, and not appearing, he was only Suspended during the pleasure of his Brethren; (he should have been Suspended indeed, that is Hanged.) But at another Assembly in *August* following, upon his allegation, that his not appearing, was out of his tender care of the Rites of the Church, he was purged from his Contumacy, without once so much as acquainting his Majesty.

The Case is famous of Mr. *David Blake*, Minister of *St. Andrews*, who had said in his Sermon, that the King had discovered the *treachery of his Heart*, in admitting the Popish Lords into the Country. That all

D

Kings

Master David
Blake. 1596.

At Edinb.
1587.

“ Kings were *the Devil's Barns*; that the Devil was in
 “ the Court, and in the Guiders of it. And in his Prayer
 “ for the Queen, he used these words, We must Pray
 “ for her for Fashion sake, but we have no cause, she
 “ will never do us any good. He said, that the Queen
 “ of *England* (Queen *Elizabeth*) was an *Atheist*; that
 “ the Lords of the Session were *Miscreants* and *Bribers*.
 “ that the Nobility were *Degenerated*, *Godless*, *Dis-*
 “ *semblers*, and *Enemies* to the Church; that the
 “ Council were *Holly-glasses*, *Cormorants*, and Men
 “ of no Religion. I appeal to all the *Estates* in *Eu-*
rope, what Punishment could be severe enough, for
 such audacious Virulence? The *English* Ambassador
 complains of it; *Blake* is cited before the Council. The
 Commissioners of the Church plead, that *it will be ill*
taken, to bring Ministers in question upon such trefling Dela-
tions, as inconsistent with the Liberties of the Church.
 They conclude that a *Declinatour* should be used, and a
Protestation made against those Proceedings, saying, *it*
was God's Cause, wherein they ought to stand to all hazards.
 Accordingly a *Declinatour* was framed and presented.
Blake desires to be remitted to the Presbytery, as his Or-
 dinary. The Commissioners send the Copy of the *De-*
clinatour to all the Presbyteries, requiring them for the
 greater corroboration of their doings, to subscribe the
 same, and to commend the Cause in hand, in their pri-
 vate and publick Prayers to God, using their best cre-
 dit with their Flocks for the maintenance thereof. The
 King justly incensed herewith, dischargeth the Meeting
 of the Commissioners. Notwithstanding this *Injunction*,
 they stay still, and send Delegates to the King, to repre-
 sent the Inconveniencies that might insue. The King
 more desirous to decline their Envy, than they his Judg-
 ment, offers Peace. The Commissioners refuse it, and
 present an insolent Petition, which the King rejects de-
 servedly

servedly, and the Cause was heard the very day that the
Princess Elizabeth (now Queen of *Bohemia*) was Chri-
 stened. The Witnesses were produced. Mr. *Robert*
Pont in the name of the Church, makes a *Protestation*.
Blake presents a second *Declinatur*. The Council decree
 that the Cause being Reasonable, is cognizable before
 them. The good King still seeks Peace, sends Messen-
 sengers, Treats, offers to remit: But it is labour in vain.
 The Ministers answer peremptorily by Mr. *Robert Bruce*,
 their Prolocutor, *That the liberty of Christ's Kingdom had*
received such a Wound, by the usurpation of the Rites of
the Church; that if the Lives of Mr. Blake and twenty o-
thers, had been taken, it would not have grieved the Hearts
of good People so much, as these injurious Proceedings. The
 King still Woes and Confers. At last the matter is
 concluded, That the King shall make a *Declaration* in
 favour of the Church; that Mr. *Blake* shall only make
 an Acknowledgment to the Queen, and be Pardoned.
 But Mr. *Blake* refuseth to confess any Fault, or to ac-
 knowledge the King and Council to be any Judges of
 his Sermon. Hereupon he is convicted and sentenced to
 be guilty of false and treasonable Slanders, and his Punish-
 ment referred to the King. Still the King Treats, makes
 Propositions unbeseeming his Majesty, once, or twice;
 the Ministers reject them, proclaim a Fast, raise a Tu-
 mult in *Edinburg*, Petition, prefer Articles. The King
 departeth from the City, removeth his Courts of Justice,
 the People repent, the Ministers persist, and seek to en-
 gage the Subject in a *Covenant for mutual Defence*. One
 Mr. *Walsb* in his Sermon tells the People, *That the King*
was possessed with a Devil, yea, with seven Devils; that the
Subjects might lawfully rise and take the Sword out of his
Hands. The Seditious, encouraged from the Pulpit,
 send a Letter to the Lord *Hamilton*, to come and be
 their General. He nobly refuseth, and sheweth their

Letter to the King. Hereupon the Ministers are fought for to be Apprehended, and flie into *England*. The Tumult is declared to be Treason by the Estates of the Kingdom. I have urged this the more largely, (yet as succinctly as I could) to let the World see, what dangerous Subjects these Disciplinarians are, and how inconsistent their Principles be, with all orderly Societies.

C H A P. V.

That it subjects the Supream Magistrate to their Censures, &c.

FOurthly, They have not only exempted themselves in their duties of their own Function, from the Tribunal of the Sovereign Magistrate, or Supream Senate, but they have subjected him, and them, (yea, even in the discharge of the Sovereign Trust) to their own Consistories, even to the highest censure of Excommunication, which is like the cutting off a Member from the Body Natural, or the Out-lawing of a Subject in the Body Politick, Excommunication, that very Engine, whereby the Popes of old advanced themselves above Emperors. *To Discipline must all the Estates within this Realm be subject; as well Rulers, as they that are Ruled. And elsewhere, All Men, as well Magistrates as Inferiors, ought to be subject to the Judgment of General Assemblies. And yet again, No man that is in the Church, ought to be exempted from Ecclesiastical Censures.* What horrid and pernicious Mischiefs do use to attend the Excommunication of Sovereign Magistrates, I leave to every Man's Memory, or Imagination. Such Courses make great Kings become Cyphers, and turn the tenure of a Crown

Copy-

1 Book disc.
7 head.

2 Book disc.
Chap. 12.

Theor. 8.

Copy-hold, *ad voluntatem Dominorum*. Such Doctrins might better become some of the Roman *Alexanders*, or *Bonifaces*, or *Gregorius*, or *Pius Quintus*, than such great professors of Humility, such great disclaimers of Authority, who have inveighed so bitterly against the Bishops for their Usurpations. This was never the practice of any Orthodox Bishop. St. *Ambrose* is mistaken, what he did to *Theodosius* was no act of Ecclesiastical Jurisdiction, but of Christian Discretion. No, he was better grounded; *David* said, *Against thee only have I sinned, because he was a King*. Our Disciplinarians abhor the name of *Authority*, but hugg the thing; their profession of *Humility*, is just like that Cardinal's hanging up of a Fisher's Net in his Dyning-Room, to put him in mind of his Descent; but so soon as he was made Pope, he took it down, saying, *the Fish was caught now, there was no more need of a Net*.

C H A P. VI.

That it robs the Magistrate of his Dispensative Power.

Fifthly, All Supream Magistrates do assume to themselves a power of pardoning Offences and Offenders, where they judge it to be expedient. He who believes that the Magistrate cannot with a good Conscience dispense with the punishment of a penitent Malefactor, I wish him no greater censure, than that the Penal Laws might be duly executed upon him, until he recant his Error. But our Disciplinarians have restrained this dispensative Power, in all such Crimes as are made Capital by the Judicial Law, as in the case of Blood, Adultery, Blasphemy, &c. In which cases they say, "The Offender

1 Book disc.
head 9.

Ibid.

Aff. Edenb.
1594.
Parl. Ed. 1594.

“ Offender ought to suffer Death, as God hath com-
manded. And if the Life be spared, as it ought not
to be, to the Offenders, &c. And the Magistrate
ought to prefer God’s express Commandment, before
his own corrupt Judgment, especially in punishing
these Crimes, which he commandeth to be punished with
Death. When the then Popish Earls of *Angus, Hunt-*
ley and *Erroll*, were Excommunicated by the Church,
and forfeited for treasonable practices against the King;
it is admirable to read with what Wisdom and Charity,
and Sweetness, his Majesty did seek from time to time,
to reclaim them from their Errors, and by their un-
feigned conversion to the Reformed Religion, to pre-
vent their Punishment. Wherein he had the concu-
rence of two Conventions of Estates, the one at *Falk-*
land, the other at *Dumfermling*. And on the other side,
to see with what bitterness and radicated Malice, they
were prosecuted by the Presbyteries and their Commis-
sioners; sometimes petitioning, that *they might have no*
benefit of Law, as being Excommunicated: Sometimes threat-
ning that *they were resolved to pursue them to the utmost,*
tho’ it should be with the loss of all their Lives in one Day.
That if they continued Enemies to God and his Truth, the
Country should not brook both them and the Lords together.
Sometimes pressing to *have their Estates confiscated, and*
their Lives taken away. Alledging for their Ground, that
by God’s Law they had deserved Death. And when the King
urged that the Bosom of the Church should be ever open
to penitent Sinners, they answered, That *the Church could*
not refuse their Satisfaction, if it was truly offered, but the
King was obliged to do Justice. What do you think of those
that roar out *Justice, Justice,* now-a-days, whether they
be not the right Spawn of these Blood-suckers? Look
upon the Examples of *Cain, Esau, Ishmael, Antiochus,*
Anti-christ, and tell me, if you ever find such superci-
lious

ious, cruel, Blood-thirsty Persons, to have been pious towards God, but their Religion is commonly like themselves, stark naught; *Cursed be their Anger, for it was fierce, and their Wrath, for it was cruel.*

Gen. 79. 7.

These are some of those Inroachments which our Disciplinarians have made upon the Rights of all Supreme Magistrates; there be sundry others, which especially concern the *Kings of Great Britain*, as the Loss of his Tenth, First-fruits, and Patronages, and which is more than all these, the Dependence of his Subjects; by all which we see, that they have thrust out the *Pope* indeed, but retain'd the *Papacy*. The *Pope* as well as they, and they as well as the *Pope*, (neither Barrel better Herrings,) do make Kings but half Kings, Kings of the Bodies, not of the Souls of their Subjects: They allow them some sort of Judgment over Ecclesiastical Persons, in their civil Capacities; for it is little (according to their Rules) which either is not Ecclesiastical, or may not be reduc'd to Ecclesiastical. But over Ecclesiastick Persons, as they are Ecclesiasticks, or in Ecclesiastical Matters, they ascribe unto them no Judgment in the World. They say, it cannot stand with the Word of God, "That no Christian Prince ever claim'd, or can claim to himself such a Power." If the Magistrate will be contented to wave his Power in Ecclesiastical Matters, and over Ecclesiastical Persons, (as they are such,) and give them leave to do what they list, and say what they list in their Pulpits, in their Consistories, in their Synods, and permit them to rule the whole Commonwealth, in order to the Advancement of the Kingdom of Christ. If he will be contented to become a subordinate Minister to their Assemblies, to see their Decrees executed, then it may be they will become his good Masters, and permit him to enjoy a part of his Civil Power. When Sovereigns are made but Accessaries,

*Vindication of
Commissioners
Jun, 6. 1648.*

ries, and Inferiors do become Principals, when stronger Obligations are devis'd, than those of a Subject to his Sovereign, it is time for the Magistrate to look to himself, these are Prognosticks of ensuing Storms, the avant Curriers of seditious Tumults. When Supremacy lights into strange and obscure Hands, it can hardly contain it self within any Bounds. Before our Disciplinaryans be well warm'd in their *Ecclesiastical* Supremacy, they are beginning, or rather they have already made a good Progress in the Invasion of the *Temporal* Supremacy also.

CHAP.

C H A P. VII.

That the Disciplinarians cheat the Magistrate of his Civil Power, in order to Religion.

THat is, Their sixth Incroachment upon the Magistrate, and the vertical Point of *Jesuitism*. Consider first, How many Civil Causes they have drawn directly into their Consistories, and made them of Ecclesiastical Cognisance, as *Fraud in Bargaining, false Weights and Measures, oppressing one another, &c.* And in the Case of Ministers, *Bribery, Perjury, Theft, Fighting, Usury, &c.* 6.
1 Book disc.
7. head.
2 Book disc.
Chap. 7.

Secondly, Consider that all Offences whatsoever are made cognoscible in their Consistories, in case of Scandal; yea, even such as are punishable by the Civil Sword with Death: 'If the Civil Sword foolishly spare the Life of the Offender, yet may not the Kirk be negligent in their Office, which is to excommunicate the Wicked.' 1 Book disc.
9. head, and
Theor. 63.

Thirdly, They ascribe unto their Ministers a Liberty and Power to direct the Magistrate, even in the Managery of Civil Affairs: 'To govern the Common-wealth, and to establish Civil Laws, is proper to the Magistrate: To interpret the Word of God, and from thence to shew the Magistrate his Duty, how he ought to govern the Common-wealth, and how he ought to use the Sword, is comprehended in the Office of the Minister, for the Holy Scripture is profitable to shew what is the best Government of the Common-wealth. And again, All the Duties of the second Table, as well as of the First, between King and Subject, Parents and Children, Husbands and Wives, Masters and Servants, &c. are in difficult Cases a Subject of Cognisance' Theor. 47, 48.
Vindicat. com.
p. 6.

Solemn Ac-
knowledge-
ment,
Octob. 6.
1648.

‘ Cognisance and Judgment to the Assemblies of the
‘ Kirk. Thus they are risen up from a Judgment
of *Direction* to a Judgment of *Jurisdiction*: And if
any Persons, Magistrates or others, dare act con-
trary to this Judgment of the Assembly, (as the Par-
liament and Committee of Estates did in *Scotland*
in the late Expedition,) ‘ They make it to be an un-
‘ lawful Engagement, a sinful War, contrary to the
‘ Testimonies of God’s Servants, and decree the
‘ Parties so offending, to be *suspended from the Com-*
‘ *munion*, and *from their Offices in the Kirk*. I con-
fess Ministers do well to exhort Christians to be care-
ful, honest, and industrious in their special Callings:
But for them to meddle pragmatically with the
Mysteries of particular Trades, and much more with
the Mysteries of State, which never came within the
compass of their shallow Capacities, is a most auda-
cious Insolence, and an insufferable Presumption.
They may as well teach the Pilot how to steer his
Course in a Tempest, or the Physician how to cure
the Distempers of his Patient.

Theor. 63.
Vindication,
p. 5.

But their highest Cheat is, that Jesuitical Inven-
tion, (*in Ordine ad Spiritualia*,) they assume a Power
in worldly Affairs *indirectly*, and in order to the Ad-
vancement of the Kingdom of Christ. *The Eccle-*
siastical Ministry is conversant spiritually about civil
things. Again, *Must not Duties to God, whereof the*
securing of Religion is a main one, have the supreme and
first Place, Duties to the King a subordinate and second
Place? The Case was this, The Parliament levied
Forces to free their King out of Prison, a meer civil
Duty: But the Commissioners of the Assembly de-
clared against it, unless the King will first give Affu-
rance under Hand and Seal by solemn Oath, that
he will establish the Covenant, the Presbyterian
Discipline, &c. in all his Dominions, and never in-
deavour

deavour any Change thereof, lest otherwise his Liberty might bring *their by-gone Proceedings* about the League and Covenant into question, there is their *Humble Advice, Edenb. June 10. 1648* Power *in Ordine ad Spiritualia.* The Parliament will

‘ restore to the King his negative Voice; A meer civil thing. The Commissioners of the Church oppose it, because of the great Dangers that may thereby come to Religion. The Parliament name *Vindication,* Officers and Commanders for the Army; A meer *p. 8.*

civil thing. The Church will not allow them, because they want such Qualifications as God’s Word requires, that is to say in plain terms, because they were not their Confidants. Was there ever Church challeng’d such an Omnipotence as this? Nothing in this World is so Civil or Political, wherein they do not interest themselves, in order to the Advancement of the Kingdom of Christ.

Upon this ground their Synod enacted, ‘ That no *Aff. Dund. 1593.* Scottish Merchants should from thenceforth Traffick in any of the Dominions of the King of Spain, until his Majesty had procured from that King some Relaxation of the Rigour of the Inquisition, upon pain of Excommunication. As likewise that the Monday-market at *Edenborough* should be abolished: It seems they thought it ministred some occasion to the Breach of the Sabbath. The Merchants petitioned the King to maintain the Liberty of their Trade; He grants their Request, but could not protect them, for the Church prosecuted the poor Merchants with their Censures, until they promised to give over the Spanish Trade, so soon as they had perfected their Accounts, and paid their Creditors in those Parts.

But the Shoo-makers, who were most interested in the Monday-markets, with their Tumults and Threatnings, compell’d the Ministers to retract;

whereupon it became a Jest in the City, that the *Souters* could obtain more at the Ministers hands, than the King. So they may meddle with the Spanish Trade, or Monday-markets, or any thing in order to Religion.

Upon this ground they assume to themselves a Power to ratifie Acts of Parliament: So the Assembly at *Edenborough* enacted, That the Acts made in the Parliament at *Edenborough* the 24th of August 1560, (without either Commission or Proxy from the Sovereign,) 'touching Religion, &c. should have the Force of a publick Law. And that the said Parliament, so far as concerned Religion, should be maintained by them, &c. and be ratified by the first Parliament that should happen to be kept within that Realm. See how bold they make with Kings and Parliaments, in order to Religion. I cannot omit that famous Summons which this Assembly sent out, not only to flintreat, but to admonish 'all Persons, truly professing the Lord Jesus within the Realm, as well Noble-men as Barons, and those of other Estates, to meet and give their personal Appearance at *Edenborough* the 20th of July ensuing, for giving their Advice and Concurrence in Matters then to be proponed, especially for purging the Realm of Popery, establishing the Policy of the Church, and restoring the Patrimony thereof to the just Possessors. Assuring such as did absent themselves, that they should be esteemed dissimulate Professors, unworthy of the Fellowship of Christ's Flock: Who thinks your Scottish Disciplinarians know not how to Ruffle it?

2 Book disc.
chap. 7.

Upon this ground they assume a Power to abrogate and invalidate Laws and Acts of Parliament, if they seem disadvantageous to the Church. Church Assemblies have Power to abrogate and abolish all Statutes

' Statutes and Ordinances concerning Ecclesiastical
 ' Matters, that are found noysome and unprofitable,
 ' and agree not with the Times, or are abused by the
 ' People. So the Acts of Parliament, 1584, at the *Vindication*
 ' very same time that they were Proclaimed, were *p. 11.*
 ' protested against at the Market-Cross of *Edenburgh* *p. 10.*
 ' by the Ministers, in the Name of the Kirk of *Scot-*
 ' *land*. And a little before, whatsoever be the Treason
 ' of impugning the Authority of Parliament, it can
 ' be no Treason to obey God rather than Man. Nei-
 ' ther did the General Assembly of *Glasgow*, 1638, &c. *p. 11. 12. 13.*
 ' commit any Treason, when they impugned *Epis-*
 ' copacy, and *Perth* Articles, although ratified by
 ' Acts of Parliament, and standing Laws then un-
 ' repeal'd. He saith so far true, that we ought rather
 to obey God than Man, that is, to suffer when we
 cannot act; but to impugn the Authority of a law-
 ful Magistrate, is neither to obey God nor Man. God
 commands us to Dye Innocent, rather than Live
 Nocent, they teach us rather to Live Nocent, than
 Dye Innocent. Away with these Seeds of Sedition,
 these Rebellious Principles; Our Master Christ hath
 test us no such Warrant, and the unsound Practice of
 an obscure Conventicle is no safe Pattern. The King
 was surprized at *Rathen* by a company of Lords and
 other Conspirators; this Fact was as plain Treason
 as could be imagined, and so it was declared; (I say
 declared, not made) in Parliament. Yet an Assem-
 bly General (*no Man gain-saying*) did justify that
 ' Treason in order to Religion as good and acceptable
 ' Service to God, their Sovereign, and Native Coun-
 ' try, requiring the Ministers in all their Churches to
 ' commend it to the People, and exhort all Men to
 ' concur with the Actors, as they tendred the Glory of
 ' God, the full Deliverance of the Church, and perfect
 ' Reformation of the Common-wealth, threatening
 ' all

1582.

1583.

Ass. Edenb.
 1582.

1582.

all those who subscribed not to their judgment with
Excommunication.

We see this is not the first time that Disciplinary Spectacles have made abominable Treason to seem Religion, if it serve for the Advancement of the good Cause. And it were well if they could rest here, or their Zeal to advance their Ecclesiastical Sovereignty, by force of Arms, and Effusion of Christian Blood, would confine it self within the Limits of *Scotland*: No, those bounds are too narrow for their pragmatistical Spirits: And for busie Bishops in other Men's Diocesses, see the Articles of *Sterling*, 'That the securing and settling Religion at Home, and promoting the Work of Reformation Abroad, in *England* and *Ireland*, be refer'd to the determination of the General Assembly (of the Kirk) or their Commissioners. What, is Old *Edenburgh* turned New *Rome*, and the Old Presbyters Young Cardinals, and their Consistory a Conclave, and their Committees a Juncto for propagating the Faith? Themselves stand most in need of Reformation; if there be a Mote in the Eye of our Church, there is a Beam in theirs. Neither want we at Home, God be praised, those who are a Thousand times fitter for Learning, for Piety, for Discretion, to be Reformers, than a few giddy Innovators. This I am sure, since they undertook our Cure against our Wills, they have made many fat Church-yards in *England*. Nothing is more Civil, or Essential to the Crown, than the Militia, or Power of raising Arms: Yet we have seen in the attempt at *Ruthen*, in their Letter to the Lord *Hamilton*, in their Sermons, what is their Opinion. They insinuate as much in their Theorems: It is lawful to resist the Magistrate by certain extraordinary Ways or Means, not to be ordinarily allowed. It were no difficult Task out of their private Authors, to justify the barbarous Acts that have been committed

Sept. 27. 1648

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1648

Theor. 84.

ted in England. But I shall hold my self to their public Actions and Records. *A Mutinous Company of Citizens forced the Gates of Halyrood-House, to search for a Priest, and plunder at their pleasure.* Mr. Knox ^{Anno. 1562.} was charged by the Council to have been the Author of the Sedition; and further, to have Convocated his Majesty's Subjects by Letters missive when he pleased. He answer'd, that he was no Preacher of Rebellion, but taught People to obey their Princes in the Lord; [I fear he taught them likewise, that he and they were the competent judges what is Obedience in the Lord.] He confessed his Convocating of the Subjects by virtue of a command from the Church, to advertise the Brethren when he saw a necessity of their Meeting, especially if he percieved Religion to be in Peril. Take another Instance, 'The Assembly having received an answer
' from the King, about the Trial of the Popish Lords, ^{Ass. Edemb. 1593.}
' not to their Contentment, resolve all to convene in
' Arms at the place appointed for the Trial; where
' upon some were left at *Edenborough* to give timely
' advertisement to the rest. The King at his return
' gets notice of it, calls the Ministers before him,
' shews them what an undutiful part it was in them
' to levy Forces, and draw his Subjects into Arms
' without his Warrant. The Ministers pleaded, *That it was the Cause of God, in Defence whereof they could not be deficient.* This is the Presbyterian want, to subject all Causes and Persons to their Consistories, to ratifie and abolish Civil Laws, to confirm and pull down Parliaments, to levy Forces, to invade other Kingdoms, to do any thing respectively to the advancement of the good Cause, and in order to Religion.

C H A P. VIII.

That the Disciplinarians Challenge this Exorbitant Power by Divine Right.

BEHOLD both Swords Spiritual and Temporal, in the Hands of the Presbytery; the one ordinarily by common Right, the other extraordinarily; the one belonging directly to the Church, the other indirectly; the one of the Kingdom of Christ, the other for his Kingdom, in order to the Propagation of Religion. See how these *Hocus Focas's* with stripping up their Sleeves and Professions of Plain-Dealing, with declaiming against the Tyranny of Prelates, under the Pretence of Humility and Ministerial Duty, have wrested the Scepter out of the Hand of Majesty, and juggled themselves into as absolute a Papacy, as ever was within the Walls of Rome. O Saviour, behold thy Vicars, and see whether the Pride of thy Servants of thy Servants is ascended. Now their Consistories are become the *Tribunals of Christ*. That were strange indeed! Christ hath but one Tribunal, his Kingdom is not of this World. Their Determinations pass for the *Sentences of Christ*. Alas, there is too much Faction and Passion, and Ignorance in their Presbyteries. Their Synodal Acts go for the *Laws of Christ*. His Laws are immutable, Mortal Man may not presume to alter them, or to add to them; but these Men are chopping and changing their Constitutions every Day. Their Elders must be look'd upon as the *Commissioners of Christ*. It is impossible! Geneva was the first City where this Discipline was hatch'd, tho' since it hath lighted into Hucksters Hands. In those Days they magnified the Platform of Geneva, for the Pattern shewed in the Mount. But there, the Presbyters at their admission take an Oath,

to observe the Ecclesiastical Ordinances of the small, great and general Councils of that City. Can any Man be so stupid as to think, that the high Commissioners of Christ Swear Fealty to the Burgers of *Geneva*? Now forsooth their Discipline is become the *Scepter of Christ, the Eternal Gospel*. (See how Success exalts Mens Desires and Demands.) In good time, where did this Scepter lie hid for 1500 Years, that we cannot find the least Footsteps of it in the meanest Village of Christendom? This World draws towards an end; was this Discipline fitted and contrived for the World to come? Or how should it be the Eternal Gospel? When every Man sees how different it is from it self, in all Presbyterian Churches, adapted and accommodated to the Civil Policy of each particular place where it is admitted, except only *Scotland*, where it comes in like a Conqueror, and makes the Civil Power stoop and strike Topsal to it. Certainly, if it be the Gospel, it is the fifth Gospel, for it hath no kindred with the other four. There is not a Text which they wrest against Episcopacy, but the Independants may with as much colour of Reason and Truth, urge it against their Presbyteries. Where doth the Gospel distinguish between temporary and perpetual Rulers? Between the Government of a Person, and of a Corporation? There is not a Text which they produce for their Presbytery, but may with much more reason be alledged for Episcopacy, and more agreeable to the *Analogy of Faith*, to the perpetual practice and belief of the Catholick Church, to the concurrent Expositions of all Interpreters, and to the other Texts of Holy Scripture; for until this new Model was Yesterday devised, none of those Texts were ever so understood. When the practice ushers in the Doctrine, it is very suspicious, or rather evident, that the Scripture was

not the Rule of their Reformation, but their subsequent excuse. This (*Jure Divino*) is that which makes their Sore incurable, themselves incorrigible, that they Father their own Brat upon God Almighty, and make this Mushroom, which sprung but up the other Night, to be of Heavenly descent. It is just like the Doctrine of the Popes Infallibility, which shuts the Door against all hope of Remedy. How should they be brought to reform their Errors, who believe they cannot err, or they be brought to renounce their drowzy Dreams, who take it for granted, that they are Divine Revelations!

Anno. 1596. And yet when that Wise Prince, King James, a little before the National Assembly at Perth, Published in Print 55 Articles or Questions, concerning the uncertainty of this Discipline, and the Vanity of their pretended Plea of *Divine Right*, and concerning the Errors and Abuses crept into it, for the better preparation of all Men to the ensuing Synod, that Ministers might study the point before-hand, and speak to the purpose; they who stood affected to that way were extremely perplexed. To give a particular Account, they knew well it was impossible; but their chiefest trouble was, that their foundation of *Divine Right*, which they had given out all this while to be a solid Rock, should come now to be questioned for a shaking Quagmire. And so without any opposition they yielded the Bucklers. Thus it continued until these unhappy Troubles, when they started aside again like broken Bows. This Plant thrives better in the midst of Tumults, than in the Times of Peace and Tranquility. The Elm which supports it, is a Factious Multitude, but a Prudent and Courageous Magistrate nips it in the Bud.

C H A P. IX.

That this Discipline makes a Monster of the Commonwealth.

WE have seen how Pernicious this Discipline (as it is maintained in *Scotland*, and endeavoured to be introduced into *England* by the Covenant,) is to the Supreme Magistrate, how it Robs him of his Supremacy in Ecclesiastical Affairs, and of the last Appeals of his own Subjects, that it exempt the Presbyters from the Power of the Magistrate, and subjects the Magistrate to the Presbyters, that it restrains his Dispensative Power of Pardoning, deprives him of the dependance of his Subjects, that it doth Challenge and Usurp a Power Paramount both of the Word and of the Sword, both of Peace and War, over all Courts and Estates, over all Laws Civil and Ecclesiastical, in order to the advancement of the Kingdom of Christ, whereof the Presbyters alone are Constituted Rulers by God, and all this by a pretended Divine Right, which takes away all hope of Remedy, until it be hissed out of the World; in a word, that it is the top-branch of Popery, a greater Tyranny, than ever *Rome* was guilty of. It remains to shew how disadvantageous it is also to the Subject.

First, To the Common-wealth in general, which it makes a Monster, like an Amphiscian, or a Serpent with two Heads, one at either end. It makes a Co-ordination of Sovereignty in the same Society, two Supreams in the same Kingdom or State, the one Civil, the other Ecclesiastical, than which nothing can be more pernicious, either to the Consciences, or the Estates of Subjects, when it falls out (as it often doth) that from these two Heads issue contrary commands, *If the Trumpet give an uncertain sound, who* ^{1 Cor. 14. 8.} *shall*

shall prepare himself to the Battle? Much more when there are two Trumpets, and the one sounds an Alarm, the other a Retreat. What should the Poor Soldier do in such a case? Or, the Poor Subject in the other case? If he obey the Civil Magistrate, he is sure to be Excommunicated by the Church; if he obey the Church, he is sure to be Imprisoned by the Civil Magistrate; What shall become of him? I know no Remedy, but according to *Solomon's* Sentence, *1 Kin. 3. 25.* the living Subject must be divided into two, and the one half given to the one, and the other half to the other. For the Oracle of Truth hath said, that *one Man cannot serve two Masters.* But in *Scotland* every Man must ierve two Masters, and (which is worse) many times disagreeing Masters. At the same time the Civil Magistrate hath commanded the Feast of the Nativity of our Saviour to be observed, and the Church hath forbidden it. At the same time the King hath Summoned the Bishops to Sit and Vote in Parliament, and the Church hath forbidden them.

1582.

In the Year 1582. *Monsieur le-Mot*, a Knight of the Order of the Holy Ghost, with an Associate, were sent Ambassadors from *France* into *Scotland*: The Ministers of *Edenburgh* approving not his Message, (tho' meerly Civil) inveigh in their Pulpits bitterly against him, calling his *White Cross* the Badge of *Antichrist*, and himself the Ambassador of a Murtherer. The King was ashamed, but did not know how to help it; The Ambassadors were discontented and desired to be gone: The King willing to preserve the Ancient Amity between the two Crowns, and to dismiss the Ambassadors with Content, requires the Magistrates of *Edenburgh* to Feast them at their departure; so they did. But to hinder this Feast, upon the *Sunday* preceeding, the Ministers proclaim a Fast to be kept the same Day the Feast was appointed; and to detain the People

Feb. 16.

ple all day at Church; the three Preachers make *At St. Giles's Church.* three Sermons, one after another without Intermission, thundring out Curses against the Magistrates and Noble-men which waited upon the Ambassadors by the King's Appointment. Neither staid they here, but pursued the Magistrates with the Censures of the Church, for not observing the Fast by them proclaimed; and with much difficulty were wrought to abstain from Excommunicating of them; which Censure, how heavy it falls in *Scotland*, you shall see by and by. To come yet nearer, the late Parliament in *Scotland* enjoined Men to take up Arms for delivery of their King out of Prison: The Commissioners for the Assembly disallowed it; and at this present, How many are chased out of their Country? How many are put to publick Repentance in Sackcloth? How many are Excommunicated for being obedient to the Supreme Judicatory of the Kingdom, that is, King and Parliament? Miserable is the Condition of that People, where there is such Clashing and Interfering of Supreme Judicatories and Authorities. If they shall pretend that this was no Free Parliament: First, They affirm that which is not true; either that Parliament was Free, or what will become of the rest? Secondly, This Plea will advantage them nothing; for (which is all one to the former) thus they make themselves Judges of the Validity or Invalidity of Parliaments.

C H A P. X.

That this Discipline is most Prejudicial to the Parliament.

FROM the Essential Body of the Kingdom, we are to proceed to the Representative Body, which is the Parliament. We have already seen, how it attributes a Power to National Synods to restrain Parliaments,

ments, and to abrogate their Acts, if they shall judge them prejudicial to the Church. We need no other Instance, to shew what small Account Presbyteries do make of Parliaments, than the late Parliament in Scotland. Notwithstanding that the Parliament had declared their Resolution To levy Forces vigorously, and that they did expect, as well from the Synods and Presbyteries, as from all other his Majesty's good Subjects, a ready Obedience to the Commands of Parliament, and Committee of Estates. 'The Commissioners of the Assembly not

March 22.

'satisfied herewith, do not only make their Proposals, that the Grounds of the War, and the Breaches of the Peace, might be cleared, that the Union of the Kingdoms might be preserved, that the Popish and Prelatical Party might be suppress'd, that his Majesty's Offers concerning Religion might be declared Unsatisfactory; that before his Majesty's Restitution to the Exercise of his Royal Power, he shall first engage himself by solemn Oath under his Hand and Seal, to pass Acts for the Settlement of the Covenant and Presbyterian Government in all his Dominions, &c. And never to oppose them, or endeavour the Change of them. (An Usurer will trust a Bankrupt upon easier Terms than they will do their Sovereign.) 'And lastly, That such Persons only might be intrusted, as had given them no cause of Jealousie, (which had been too much, and more than any Estates in Europe will take in good part from half a dozen Ministers.) But afterwards by their publick Declaration to the whole Kirk and Kingdom, set forth, that not being satisfied in these Particulars, they do plainly dissent and disagree, and declare that they are clearly persuaded in their Consciences, that the Engagement is of dangerous Consequence to true Religion, prejudicial to the Liberty of the Kirk, favourable to the malignant Party, inconsistent with the Union of the Kingdom, contrary to the Word

Declar.

Word of God and the Covenant, wherefore they cannot allow either Ministers or any other whatsoever to concur and cooperate in it, and trust that they will keep themselves free in this business, and chuse Affliction rather than Iniquity. And to say the Truth, they made their word good; for by their Power over the Church-men, and by their Influence upon the People, and by threatening all those who engaged in that Action with the Censures of the Church, they retarded the Levies, they deterred all Preachers from accompanying the Army to do Divine Offices. And when St. Peter's Keys would not serve the turn, they made use of St. Paul's Sword, and gathered the Country together in Arms at Machleene-Moore to oppose the Expedition.

So if the High Court of Parliament will set up Presbytery, they must resolve to introduce an higher Court than themselves, which will over-top them for Eminency of Authority, for Extent of Power, and Greatness of Privileges, that is, a National Synod.

First for Authority, The one being acknowledged to be but an *Human Convention*, the other affirmed confidently to be a *Divine Institution*. The one sitting by vertue of the *King's Writ*, the other by vertue of *God's Writ*. The one as *Counsellors of the Prince*, the other as *Ambassadors and Vicars of the Son of God*. The one as *Burgesses of Corporations*, the other as *Commissioners of Jesus Christ*. The one judging by the *Law of the Land*, the other by the *Holy Scriptures*. The one taking care for this *Temporal Life*, the other for *Eternal Life*.

Secondly for Power, as *Curtius* saith, *Ubi Multitudo vana Religione capta est, melius vatibus suis quam ducibus paret*: Where the Multitude is led with Superstition, they do more readily obey their Prophets than their Magistrates. Have they not reason? Pardon us O Magistrate! Thou threaten'st us with Prison, they threaten

threaten us with Hell Fire: Thy Sentence deprives us of Civil Protection, and the Benefit of the Law, so doth theirs *indirectly*, and withal makes us Strangers to the Common-wealth of *Israel*. Thou can'st Out-law us, or Horn us, and confiscate our Estates, their Keys do the same also by *consequence*, and moreover deprive us of the Prayers of the Church, and the comfortable Use of the Blessed Sacraments. Thou can'st deliver us to a *Purfevant*, or commit us to the *Black Rod*, they can deliver us over to *Satan*, and commit us to the Prince of Darkness.

Thirdly for Privileges, The Privileges of Parliament extend not to Treason, Fellony, or Breach of Peace, but they may talk Treason, and act Treason, in their Pulpits and Synods, without controlment. They may securely commit not only *Pettilarciny* but *Burglary*, and force the Doors of the Palace Royal. They may not only break the Peace, but convocate the Subjects in Arms, yea, give Warrant to a particular Person, to convene them by his Letters *Missives*, according to his Discretion, *in order to Religion*. Of all which we have seen Instances in this Discourse. The Privileges of Parliaments are the Graces and Concessions of Man, and may be taken away by Humane Authority; but the Privileges of Synods they say are from God, and cannot, without Sacrilege, be taken away by mortal Man. The two Houses of Parliament cannot name Commissioners to sit in the Intervals, and take care, *Ne quid Detrimenti capiat Respublica*, that the Common-wealth receive no Prejudice: But Synods have power to name Vicars General, or Commissioners, to sit in the Intervals of Synods, and take order that neither King, nor Parliament, nor People, do incroach upon the *Liberties* of the Church. If there be any thing to do, they are (like the Fox in *Æsop's Fables*) sure to be in at one end of it.

CHAP. XI.
That this Discipline is oppressive to particular Persons.

TOwards particular Persons this Discipline is too full of Rigour, like *Draco's* Laws that were written in Blood. First, In lesser Faults, inflicting Church Censures upon slight Grounds; As for an uncomely Gesture, for a vain Word, for Suspicion of Covetousness or Pride, for Superfluity in Raiment, either for Cost or Fashion; for keeping a Table above a Man's Calling or Means, or Danceing at a Wedding, or of Servants in the Streets; for wearing a Man's Hair *A-la-mode*, for not paying of Debts, for using the least Recreation upon the Sabbath, tho' void of Scandal, and consistent with the Duties of the Day. I wish they were acquainted with the Practise of all other Protestant Countries. But if they did but see one of those Skirmishes which are observed in some Places, the Pulpit, the Consistory, the whole Kingdom would not be able to hold them. What Digladiations have there been among some of their Sect about Starch and Cuffs, &c. just like those grave Debates which were sometimes among the *Franciscans*, about the Colour and Fashion of their Gowns? They do not allow Men a Latitude of Discretion in any thing. All Men, even their Superiors, must be their Slaves or Pupils. It is true, they begin their Censures with Admonition, and if a Man will confess himself a Delinquent, be sorry for giving the Presbyters any Offence, and conform himself in his Hair, Apparel, Diet, every thing, to what these rough-hewen *Caro's* shall prescribe, he may escape the *Stool of Repentance*, otherwise they will proceed against him for Contumacy, to Excommunication.

Secondly, This Discipline is oppressive in greater Faults;

Theor. 63. Faults; The same Man is punished twice for the same Crime, first by the Magistrate according to the Laws of God and the Land, for the Offence; then by the Censures of the Church, for the Scandal. To this agrees their Synod, *Nothing forbids the same Fault in the same Man, to be punished one way by the political Power, another way by the Ecclesiastical; by that under the Formality of a Crime with corporal or pecuniary Punishment, by this under the Formality of Scandal with Spiritual Censures.* And their Book of Discipline, *If the Civil Sword foolishly spare the Life of the Offender, yet may not the Kirk be negligent in their Office.* Thus their Liturgy in express terms, *All Crimes, which by the Law of God deserve Death, deserve also Excommunication.* Yea, tho' an Offender abide an Assize, and be absolved by the same, yet may the Church injoyn him publick Satisfaction. Or if the Magistrate shall not think fit in his judgment, or cannot in conscience prosecute the Party upon the Churches Intimation, *the Church may admonish the Magistrate publicly.* And if no Remedy be found, excommunicate the Offender, *first for his Crime, and then for being suspected to have corrupted the Judge.* Observe first, that by hook or crook they will bring all Crimes whatsoever, great or small, within their Jurisdiction. Secondly, Observe that a Delinquent's Trial for his Life, is no sufficient Satisfaction to these third Calo's. Lastly, Observe, that to satisfy their own Humour, they care not how they blemish publickly the Reputation of the Magistrate upon frivolous Conjectures.

1 Book 9. head. p. 44.

Scot lit. 48.

47.

1 Book dis. 7. head.

Thirdly, Add to this which hath been said, the Severity and extream Rigour of their Excommunication; After which Sentence, *No Person (his Wife and Family only excepted) may have any kind of Conversation with him that is excommunicate, they may not eat with him, nor drink with him, nor buy with him, nor sell with*

with him; they may not salute him, nor speak to him, [except it be by the License of the Presbytery.] His Children, begotten and born after that Sentence, and before his Reconciliation to the Church, may not be admitted to Baptism, until they be of Age to require it, or the Mother, or some special Friend, being a Member of the Church, present the Child, abhorring and damning the Iniquity and obstinate Contempt of the Father. Add further, that upon this Sentence, Letters of Horning (as they use to call them in Scotland) do follow of course, that is, an Outlawing of the Party, a Confiscation of his Goods, a putting him out of the King's Protection, so as any Man may kill him and be unpunish'd; yea, the Party excommunicated, is not so much as cited to hear those fatal Letters granted. Had not David reason to pray, Let me fall into the Hands of the Lord, not into the Hands of Men, for their Mercies are cruel. Cruel indeed, that when a Man is prosecuted for his Life, perhaps justly, perhaps unjustly, so as Appearing and Hanging are to him in effect the same thing; yet if he appear not, this pitiful Church will Excommunicate him for Contumacy: Whether the Offender be convicted in Judgment, or be fugitive from the Law, the Church ought to proceed to the Sentence of Excommunication. As if the just and evident fear of Death, did not purge away Contumacy.

55 Article.
1596.

Scot. Lit. 49.

C H A P. XII.

That this Discipline is burthensome to all Orders of Men.

Aftly, This Discipline is burthensome and disadvantageous to all Orders of Men. The Nobility and Gentry must expect to follow the Fortune of their Prince. Upon the Abatement of Monarchy in Rome, remember what dismal Controversies did presently spring up between the Patrii and Plebs. They shall

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be subjected to the Censures of a raw heady Novice, and a few ignorant Artificers; they shall lose all their Advowsons of such Benefices as have Cure of Souls, (as they have lately found in Scotland) for every Congregation ought to choose their own Pastor. They shall hazard their Appropriations and Abbey-Lands: A Sacrilege which their National Synod cannot in conscience tolerate, longer than they have Strength sufficient to overthrow it. And if they proceed as they begin, the Presbyters will in a short time either accomplish their Design, or change their Soyle. They shall be bearded and maited by every ordinary Presbyter, witness that insolent Speech of Mr. Robert Bruce to King James; *Sir, I see your Resolution is to rake Huntley in Favour; if you do, I will oppose: You shall choose whether you will lose Huntley or me; for us both you cannot keep.* It is nothing with them, for a Pedant to put himself into the Ballance with one of the prime and most powerful Peers of the Realm.

The poor Orthodox Clergy in the mean time shall be undone, their Straw shall be taken from them, and the Number of their Bricks be doubled: They shall lose the comfortable Assurance of an undoubted Succession by Episcopal Ordination, and put it to a dangerous Question, Whether they be within the Pale of the Church? They shall be reduced to Ignorance, Contempt, and Beggery: They shall lose an ancient Liturgy, (warranted in the most parts of it by all, in all parts of it by the most publick Forms of the Protestant Churches, whereof a short time may produce a Parallel to the View of the World,) and be enjoined to prate and pray Nonsense everlastingly. For howsoever formerly they have had a Liturgy of their own, as all other Christian Churches have at this day; yet now, it seems, they allow no Prayers, but *Extemporary*. So saith the Information from Scotland, *It is not lawful for*

for a Man to tie himself, or be tied by others, to a Prescript Form of Words in Prayer and Exhortation.

Parents shall lose the free Disposition of their own Children in Marriage, if the Child desire an Husband or a Wife, and the Parent gainstand their Request, and have no other cause than the common of Men have, to wit, lack of Goods, or because the other Party is not of Birth high enough, upon the Childs desire, the Minister is to Travail with the Parents, and if he find no just Cause to the contrary, may admit them to Marriage. For the Work of God ought not to be hindred by the corrupt Affections of Worldly Men. They who have stripped the Father of their Country of his just Right, may make bold with Fathers of Families, and will not stick to exclude all other Fathers, but themselves out of the Fifth Commandment. The Doctrine is very high, but their practice is yet much more high. The Presbyteries will compel the wronged Parent to give that Child as great a Portion as any of his other Children.

It will be ill News to the Lawyers to have the Moulter taken away from their Mills upon pretence of Scandal, or in order to Religion, to have their Sentences repealed by a Synod of Presbyters, and to receive more Prohibitions from Ecclesiastical Courts, than ever they sent thither.

All Masters and Mistresses of Families, of what Age or Condition soever, must come once a Year before the Presbyter, with their Households, to be examined Personally whether they be fit to recieve the Sacrament, in respect of their Knowledge, and otherwise. And if they suffer their Children or Servants to continue in wilful Ignorance (what if they cannot help it?) they must be Excommunicated. It is probable, the Persons Catechised could often better instruct their Catechists.

The common People shall have an High-Commission

tion in every Parish, and groan under the Arbitrary Decrees of Ignorant, Unexperienced Governors, who know no Law but their own Wills, who observe no Order but what they list; from whom lies no Appeal but to a Synod, which for the shortness of its continuance can afford, which for the Condition of the Persons will afford them little Relief. If there arise a private Jar between the Parent and the Child, or the Husband and the Wife, these Domestical Judges must know it, and Censure it.

Scire volunt secreta domus, atque inde timeri.

And if there have been any Suit or Difference between the Pastor and any of his Flock, or between Neighbour and Neighbour, before it will not be forgotten in the Sentence. The Practice of our Law hath been, that a Judge was rarely permitted to ride a Circuit in his own Country, lest private Interest or Respects might make him Partial. Yet a Country is much larger than a Parish, and a grave Learned Judge is presumed to have more Temper than such Home-bred Fellows. Thus we see what a Pandora's Box this pretended Holy Discipline is, full of manifold mischiefs, and to all Orders of Men most pernicious.

C H A P. XIII.

That the Covenant to introduce this Discipline is void and Wicked, with a short Conclusion.

BUT yet the Conscience of an Oath sticks deep. Some will plead, that they have made a Covenant with God, for the Introduction of this Discipline. Oaths and Vows ought to be made with great Judgment, and broken with greater. My next Task therefore must be to demonstrate this clearly, that this Covenant

Covenant is not binding, but meerly void, and not only void but wicked; so as it is necessary to break it, and impious to observe it.

The first thing that cracks the Credit of this New Covenant is, that it was devised by Strangers, to the dishonour of our Nation, imposed by Subjects, who wanted Requisite Power upon their Sovereign and Fellow Subjects, extorted by just Fear of unjust Sufferings. So as a Man may truly say of many who took this Covenant, that they sinned in pronouncing the words with their Lips, but never consented with their Hearts to make any Vow to God.

Again, Error and Deceit make those things voluntary to which they are incident, especially when the Error is not meerly Negative by way of a Concealment of Truth, when a Man knows not what he doth, but Positive, when he believes he doth one thing, and doth the clean contrary, and that not about some inconsiderable Accidents, but about the Substantial Conditions. As if a Physician, either out of Ignorance or Malice, should give his Patient a deadly Poyson under the Name of a Cordial, and bind him by a Solemn Oath to take it, the Oath is void, necessary to be broken, unlawful to be kept; if the Patient had known the Truth, that it was no Cordial, that it was Poyson, he would not have Sworn to take it. Such an Error there is in the Covenant with a Witness, to gull Men with a strange, unknown, lately devised Platform of Discipline, most pernicious to the King and Kingdom, as if it were the very Institution of Christ, of high advantage to the King and Kingdom, to gull them with that Covenant which King *James* did sometimes take, as if that and this were all one, whereas that Covenant issued out by the King's Authority, this Covenant without his Authority, against his Authority; that Covenant was for the
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Laws of the Realm, this is against the Laws of the Realm; that was to maintain the Religion Established, this to overthrow the Religion Established: But because I will not ground my Discourse upon any thing that is Disputable, either in matter of *Right*, or *Fact*; And in Truth, because I have no need of them, I forgive them these advantages, only with this gentle *Memento*, That when other Foreign Churches, and the Church of *Scotland* it self (as appears by their publick Liturgy used in those Days) did Sue for Aid and Assistance from the Crown and Kingdom of *England*, they did not go about to obtrude their own Discipline upon them, but left them free to choose for themselves.

The Grounds which follow are demonstrative; First, no Man can dispose that by Vow, or otherwise, either to God or Man, which is the Right of a third Person without his Consent: Neither can the inferior oblige himself to the prejudice of his Superior, contrary to his Duty, without his Superiors allowance: God accepts no such Pretences, to seem obsequious to him, out of the undoubted Right of another Person. Now the Power of Arms, and the Defence of the Laws, and Protection of the Subjects by those Arms, is by the Law of *England* clearly invested in the Crown. And where the King is bound in Conscience to Protect, the Subject is bound in Conscience to assist. Therefore every English Subject owes his Arms and his Obedience to his King, and cannot dispose them as a free Gift of his own; nor by any act of his whatsoever, diminish his Sovereigns Right over him, but in those things wherein by Law he owes subjection to his Prince, he remaineth still obliged, notwithstanding any Vow or Covenant to the contrary; especially when the Subject and Scope of the Covenant is against the known Laws of the Realm. So

as

Law

as without all manner of doubt, no Divine or Learned Casuist in the World Dissenting. This Covenant is either void in it self, or at least voided by his Majesties Proclamation, prohibiting the taking of it, and nullifying its Obligation.

Secondly, It is confessed by all Men, that an Oath ought not to be the Bond of Iniquity, nor doth oblige a Man to be a Transgressor. The Golden Rule is, *in malis promissis rescinde fidem, in turpi voto muta decretum*, To observe a Wicked Engagement doubles the Sin: Nothing can be the matter of a Vow or Covenant, which is evidently unlawful. But it is evidently unlawful for a Subject or Subjects to alter the Laws Established by Force, without the Concurrence, and against the Commands of the Supream Legislator, for the Introduction of a Foreign Discipline. This is the very Matter and Subject of the Covenant. Subjects Vow to God, and Swear one to another, to change the Laws of the Realm, to abolish the Discipline of the Church, and the Liturgy lawfully Established, by the Sword, (which was never committed to their Hands by God or Man) without the King, against the King, which no Man can deny in Earnest to be plain Rebellion. And it is yet worse, that it is to the main prejudice of a third Order of the Kingdom, the taking away whose Rights without their Consents, without making them Satisfaction, cannot be justified in point of Conscience. (Yea tho' it were for the greater convenience of the Kingdom, as is most falsely pretended.) And is harder measure than the Abbots and Friars received from *Henry* the Eighth, or than either Christians or Turks do offer to their Conquer'd Enemies.

Lastly, A Supervenient Oath or Covenant either with God or Man, cannot take away the Obligation of a just Oath precedent. But such is the Covenant, a

subsequent Oath, inconsistent with, and destructive to a precedent Oath, that is the Oath of Supremacy, which all the Church-Men throughout the Kingdom, all the Parliament-Men at their admission to the House, all Persons of Quality throughout *England* have taken. The former Oath acknowledgeth the King to be the *Only Supream Head*, (that is Civil Head, to see that every Man do his Duty in his Calling) and Governour of the Church of *England*. The Second Oath or Covenant, to set up the *Presbyterian* Government as it is in *Scotland*, denieth all this virtually, makes it a Political Papacy, acknowledgeth no Governors but only the *Presbyters*. The former Oath gives the King the Supream Power over all Persons in all Causes. The second Oath gives him a Power over all Persons, (as they are Subjects,) but none at all in Ecclesiastical Causes. This they make to be Sacrilege.

By all which it is most apparent, that this Covenant was neither free nor deliberate, nor valid, nor lawful, nor consistent with our former Oaths, but enforced, deceitful, invalid, impious, rebellious, and contradictory to our former Engagements, and consequently obligeth no Man to Performance, but all Men to Repentance. For the greater certainty whereof I Appeal, upon this stating of the Case, to all the Learned Casuists and Divines in *Europe*, touching the point of common Right; And that this is the true state of the Case, I Appeal to our Adversaries themselves. No Man that hath any spark of Ingenuity will deny it. No English-Man who hath any tolerable degree of Judgment, or Knowledge in the Laws of his Country can deny it, but at the same Instant his Conscience must give him the Lie.

They who plead for this Rebellion, dare not put it to a Trial at Law, they do not ground their Defence

fence upon the Laws, but either upon their own groundless Jealousies and Fears, of the King's Intention to introduce Popery, to subvert the Laws, and to enslave the People. This is to run into a certain Crime, for fear of an Uncertain.

They who intend to pick Quarrels, know how to feign Suspensions. Or they ground it upon the *Success* of their Arms, or upon the *Sovereign Right* of the *People*, over all Laws and Magistrates, whose Representatives they create themselves, whilst the poor People sigh in corners, and dare not say their Soul is their own, lamenting their former Folly, to have contributed so much to their own Undoing.

Or lastly upon *Religion*, the Cause of God, the worst Plea of all the rest, to make God *Accessary* to their *Treasons, Murthers, Covetousness, Ambition*. Christ did never authorise Subjects to plant Christian Religion, much less their own fanatical Dreams, or fantastical Devices, in the Blood of their Sovereign, and Fellow-subjects.

Speak out, Is it lawful for Subjects to take up Arms against their Prince *meerly* for *Religion*? Or, Is it not lawful? If ye say it is not lawful, ye condemn yourselves, for your Covenant testifieth to the World, that ye have taken up Arms, *meerly* to *alter Religion*; and that ye bear no Allegiance to your King, but only *in order to Religion*; that is, in plain terms, to your own *Humours* and *Conceits*. If ye say it is lawful, ye justify the *Independents* in *England*, for supplanting your selves, ye justify the *Anabaptists* in *Germany*, *John of Leiden* and his Crew. Ye break down the Banks of Order, and make way for an Inundation of Blood and Confusion in all Countries. Ye render your selves justly Odious to all Christian Magistrates, when they see, that they owe their *Safety* not to your *good Wills*, but to your *Weakness*, that ye want sufficient Strength to cut their Throats. This is fine Doctrine for *Europe*, wherein

wherein there is scarce that King or State, which hath not Subjects of different Opinions and Communions in Religion. Or lastly, If ye say, It is lawful for you to plant that which *ye* apprehend to be *true Religion* by force of Arms; but it is not lawful for others to plant that which *they* apprehend to be *true Religion* by Force, because yours is *the Gospel*, theirs is *not*. *Ye beg the Question*, and make your selves ridiculously Partial by your over-weening Opinion, worse than that of the Men of *China*, as if ye only had two Eyes, and all the rest of the World were stark Blind. There is more hope of a Fool, than of him that is wise in his own Eyes.

I would to God we might be so happy, as to see a General Council of Christians, at least a General Synod of all Protestants, and that the first Act might be, to denounce an *Anathema Maranatha*, against all Broachers and Maintainers of Seditious Principles, to take away the Scandal which lies upon Christian Religion, and to shew that in the Search of *Piety*, we have not lost the *Principles of Humanity*. In the mean time, let all Christian Magistrates, who are principally concerned, beware how they suffer this Cockatrice Egg to be hatch'd in their Dominions. Much more how they plead for *Baal*, or *Baal-Berith*, the Baalims of the *Covenant*. It were worth the inquiring, whether the Marks of *Antichrist* do not agree as eminently to the Assembly General of *Scotland*, as either to the *Pope*, or to the *Turk*: This we see plainly, that they spring out of the Ruins of the Civil Magistrate, they sit upon the Temple of God, and they advance themselves above those whom Holy Scripture calleth Gods.

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